

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

**DOMINQUE TABB,**

**Plaintiff,**

**vs.**

**CLAUDE JONES, *et al.*,**

**Defendants.**

**Case No. CIV-11-433-JHP-SPS**

**OPINION AND ORDER**  
**DENYING MOTION FOR APPOINTMENT OF COUNSEL**

Plaintiff has filed a motion requesting the court to appoint counsel (Dkt. # 66). He bears the burden of convincing the court that his claim has sufficient merit to warrant appointment of counsel. *McCarthy v. Weinberg*, 753 F.2d 836, 838 (10<sup>th</sup> Cir. 1985) (citing *United States v. Masters*, 484 F.2d 1251, 1253 (10<sup>th</sup> Cir. 1973)). After carefully reviewing the merits of plaintiff's claims, the nature of the factual issues raised, plaintiff's ability to investigate crucial facts and present his claims and the complexity of the legal issues involved herein, this Court finds that appointment of counsel is not warranted. *Williams v. Meese*, 926 F.2d 994, 996 (10<sup>th</sup> Cir. 1991). Accordingly, plaintiff's motion (Dkt. # 66) is **denied.**

**IT IS SO ORDERED** on this 13th day of September, 2013.

  
James H. Payne  
United States District Judge  
Eastern District of Oklahoma